

Practitioner's Docket No. 469/129

**PATENT RECEIVED**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

JAN 16 1999

☒ In re application of: Nashner

Application No.: 09/ 145,255

Group No.

Filed: September 1, 1998

Examiner:

For: APPARATUS AND METHOD FOR

MOVEMENT COORDINATION ANALYSIS

☐ Patent No.:

Issued:

TECHNOLOGY CENTER 3700

3781

\*NOTE: Insert name(s) of inventor(s) and title also for patent. Where the refund request is with respect to a maintenance fee payment, also insert application number and filing date, and add Box M. Fee to address.

Assistant Commissioner for Patents

Washington, D.C. 20231

ATTENTION: Refund Section, Accounting Division, Office of Finance

**REQUEST FOR REFUND**

(37 C.F.R. 1.28(a))

**COMPLETED**

**I. SUBMISSION OF SMALL ENTITY STATEMENT**

(complete (a) or (b))

- (a) ☒ Attached is a statement claiming small entity status in this application.  
(b) ☐ A statement claiming small entity status was filed in this application on \_\_\_\_\_

RECEIPT ACCOUNTING  
DIVISION  
1998 NOV -3 PM 3:27

**II. REFUND REQUEST**

This request for refund is made within two months of the date a fee was paid in this application on September 1, 1998, in the amount of \$ 1118.00.

NOTE: The two-month period (§ 1.28(a)) is not included in the provisions for extension under 37 C.F.R. 1.136 because it is not a period for response. Notice of November 30, 1983, 49 FR 548, January 4, 1984. 37 C.F.R. 1.28(a).

**CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))**

I hereby certify that this correspondence is, on the date shown below, being:

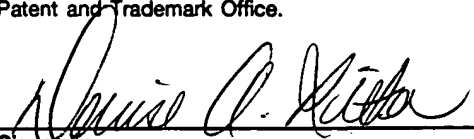
**MAILING**

☒ deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

**FACSIMILE**

☐ transmitted by facsimile to the Patent and Trademark Office.

Date: October 30, 1998

  
\_\_\_\_\_  
Signature

Denise A. Ritter

(type or print name of person certifying)

### III. FEES PAID FOR WHICH REFUND REQUESTED

#### AMOUNT OF REFUND REQUESTED

- ☒ Filing fee \$ 559.00
- ☐ Surcharge for filing the basic filing fee on a date later than the filing date of the application (37 CFR 1.16(e) or 37 CFR 1.16(l)). \$
- or
- ☐ Surcharge for filing the oath or declaration on a date later than the filing date of the application (37 CFR 1.16(e)) \$
- ☐ Surcharge for filing the basic filing fee on a date later than the filing date of the provisional application (37 C.F.R. § 1.51(c)(1) and 37 C.F.R. § 1.16(l)) \$
- or
- ☐ Surcharge for filing the cover sheet on a date later than the filing date of the provisional application (37 C.F.R. § 1.51(c)(1) and 37 C.F.R. § 1.16(l)) \$
- ☐ Extension of term \$
- ☐ Issue fee \$
- ☐ Patent maintenance fee
- ☐ first maintenance fee \$
- ☐ second maintenance fee \$
- ☐ third maintenance fee \$
- ☐ Patent maintenance fee surcharge.
- NOTE: The refund provisions of § 1.28(a), for later submitted small entity statements, apply to maintenance fees. Notice of July 30, 1984, 1046 O.G. 28-37.*
- ☐ Other \$

TOTAL REFUND REQUESTED \$ 559.00

#### IV. MANNER OF REFUND

Please make refund by

☒ crediting Account No. 19-4972

☐ refunding overpayment.



Signature of Practitioner

Reg. No.: 33,198

Timothy M. Murphy

*(type or print name of practitioner)*

Tel. No.: (617) 443-9292

BROMBERG & SUNSTEIN LLP

P.O. Address

Customer No.: 002101

125 Summer Street, Boston, MA 02110

**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS -  
SMALL BUSINESS CONCERN**

Applicant(s): Lewis M. Nashner

Reissue Application of  
U.S. Patent No.: 5,551,445

For: APPARATUS AND METHOD FOR  
MOVEMENT COORDINATION ANALYSIS

I hereby declare that I am an official of the following small business concern and am empowered to act on its behalf:

NeuroCom International, Inc.  
9570 S.E. Lawnfield Road  
Clackamas, Oregon 97015

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to, and remain with, the small business concern identified above with regard to the above-referenced invention.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern, or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor(s), who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

I acknowledge the duty to file, in this application, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of person signing: LEWIS M. NASHNER

Title of person signing: PRESIDENT

Address of person signing: 9570 S.E. LAWNFIELD RD., CLACKAMAS, OR

Signature: 

Date: 10/27/98

# Adjust Transactions

Search by

☐ Accounting Date:  Operator ID:   
(MMDDYY)

Accounting Date  
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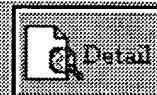
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☐ Deposit Account No:

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09/17/1998	JARTIS	1	SALE	108	A	790.00	09145255	469/129



Adjustment date: 11/18/1998 DHARRIGA  
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01 FC:108 -790.00 OP  
02 FC:109 -328.00 OP

11/18/1998 DHARRIGA 00000003 09145255

01 FC:208 395.00 OP  
02 FC:209 164.00 OP

Repln. Ref: 11/18/1998 DHARRIGA 0009144200  
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FC: 704 \$559.00 CR